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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Anna Viktorovna Ivleva,)

10 Petitioner,)

CV 08-1506-PHX-PGR (JRI)

11 v.)

ORDER

12 Katrina Kane,)

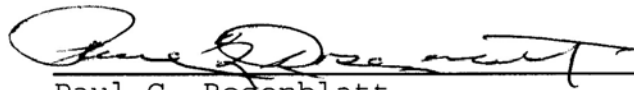
13 Respondent.)

14 The Court having reviewed *de novo* the Report and Recommendation of Magistrate
15 Judge Irwin and no party having filed any objection to the Report and Recommendation,

16 IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation
17 (**Doc. 12**) is **ACCEPTED** and **ADOPTED** by the Court.¹

18 IT IS FURTHER ORDERED that petitioner's Petition for Writ of Habeas Corpus
19 (**Doc. 1**) is **DENIED** and **DISMISSED** without prejudice for failure to prosecute.

20 DATED this 4th day of January, 2009.

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23 Paul G. Rosenblatt
24 United States District Judge

25 ¹ The Magistrate Judge found that Petitioner received adequate warning of the
26 consequences of failing to keep the Court apprised of her address. Petitioner's failure to keep
27 the Court informed of her new address constitutes failure to prosecute. Link v. Wabash R.
28 Co., 370 U.S. 626, 630-631 (1962). Magistrate Judge Irwin determined that in light of
Petitioner's refusal to respond to the Court, less onerous sanctions would be ineffective;
however, a dismissal with prejudice would be unnecessarily harsh. This Court agrees.